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## A Tax on Cows?

By Congressman Joe Pitts

A recent article in Lancaster's Intelligencer Journal noted the possibility of the Environmental Protection Agency (EPA) deciding to charge farmers a tax on their cows because the methane they release into the air is a potent greenhouse gas (GHG) emission.

The notion that the EPA might be taxing farmers for their cows' emissions has no doubt created quite a stir. It's an issue worth examining.

On November 29, 2006 the state of Massachusetts argued before the United States Supreme Court that the Clean Air Act provided the authority to the Federal Government to regulate GHGs in the atmosphere. The Court agreed and issued a ruling on April 2, 2007 that claimed the Federal Government does have the authority to regulated GHGs. The ruling did not stipulate that they must do so; it simply noted that under current law, it has the authority to do so if they chose.

This past July, the EPA published what is called an "advanced notice of proposed rule-making." As you might figure from the name, this is a procedure in the federal bureaucracy that notifies the public that a federal agency is considering creating a new "rule" in the future. A rule, in this case, is a regulation that enforces laws already passed by Congress.

The advanced notice from the EPA describe all of the possible actions that could be taken if the EPA chose to regulate the full range of GHG emissions. In addition to the obvious sources like cars and power plants, the report included things like lawnmowers. Agriculture was also mentioned as a source of emissions that could possibly be regulated.

Following an advanced notice, there is always a set time for public comment during which anyone can submit a response to the proposal. This could be anyone from private farmers in Lancaster County who would be negatively affected by a change in regulations, to state authorities and special interest groups.

The most important thing to understand in relation to the July announcement is that no further action will be taken by the EPA until next January when Barack Obama is sworn in as the next President. Obviously, an EPA filled with appointments by President Obama will approach the greenhouse gas emissions issue from a different angle than the current administration has.

With this in mind, I would like to offer my opinion on the issue, at the very least, on behalf of the farmers of the 16<sup>th</sup> Congressional District who most likely would not be able to afford a new tax on their livestock.

I want to keep the air clean as well, but President Obama and his EPA Administrator ought to resist the push from their liberal allies to regulate our lawnmowers and farmers' cow flatulence. Instead, they ought to keep their eyes on the sectors that will have the greatest effect on keeping the skies clean. According to current EPA studies, the vast majority of GHGs emitted into the atmosphere come from "Fossil Fuel Combustion" and within this category "Electricity Generation" and "Transportation" are the greatest sources for carbon emissions. Cows are nowhere to be found at the top of the list.

This is why I hope that the Obama administration will look toward greatly expanding nuclear energy, a technology that is proven to be capable and safe and emits absolutely zero greenhouse gas into the atmosphere. They should look to encourage the development of clean renewable energy technologies like wind, solar, and hydro. In addition, they should also continue investing in clean-coal technologies. The United States is the Saudi Arabia of coal, and if we can find a way to capture and store the emissions from the burning of coal, this capability would go a long way toward reducing our dependence on foreign sources of energy, while cleaning up our skies in the process.

The Obama administration will take office with a number of serious challenges lying ahead, including an economy that is struggling mightily. Reaching deep down into the lives of the American public, regulating everything from lawnmowers to cows' gas will not be the best way to reduce GHG emissions and will only serve to hamper our economic recovery. Instead, President Obama should work with Congress to move forward with technologies that produce energy without releasing pollutants into the air. Some of these already exist, while some will need further development. I stand ready to work with President Obama and my colleagues in Congress to take steps to move forward, not back to the dark ages.

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